

REMARKS

Claims 4-30 have been cancelled, and Claims 31-45 have been added. Thus, Claims 1-3 and 31-45 are currently pending in the present application, of which Claims 1-3 have been amended.

Rejection under 35 U.S.C. § 103

Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Asano* (US 6,477,577) in view of *Hrastar et al.* (US 6,529,517). Applicant respectfully traverses such rejection insofar as it might apply to the claims as amended herein.

Amended Claim 1 (and similarly Claims 34 and 40) now recites a step of "determining whether or not said IP datagram is a socks connect message." Such a step is supported by page 28, lines 21-23 of the specification. Claim 1 also recites steps of "in response to a determination that said IP datagram is a socks connect message, determining from said IP datagram an Application Level protocol (ALP) transported by a socks connection, locating from a type of service (TOS) definition table a record corresponding to said ALP of said IP datagram, and determining from said located record a TOS value." Such steps are supported by page 29, line 1 through page 30, line 2 of the specification. In addition, Claim 1 recites a step "subsequently writing said determined TOS value into said TOS field of said IP datagram, wherein said TOS value is based on said ALP transported by said socks connection." Such a step is supported by page 31, lines 1-3 of the specification.

The above-mentioned claimed steps are not taught or suggested by either *Asano* or *Hrastar*. Because the cited references, whether considered separately or in combination, do not teach or suggest the claimed invention, the § 103 rejection is believed to be overcome.

CONCLUSION

Claims 1-3 and 31-45 are currently pending in the present application. For the reasons stated above, Applicant believes that independent Claims 1, 34 and 40 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of this application, please charge it against IBM Deposit Account No. 09-0457.

Respectfully submitted,



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